

WHITE AND WILLIAMS LLP

BY: Michael O. Kassak, Esquire
David M. Ragonese, Esquire

LibertyView

457 Haddonfield Road, Suite 400

Cherry Hill, NJ 08002

856-317-3600

ATTORNEY FOR Defendants, Cherry Hill Township, Cherry Hill Township Police
Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields,
Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark
Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler,
Anthony Saporito, and William Kushina

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BOBBIE LYNN PIERCE, Individually and as
Administratrix of the Estate of Joseph Pierce,

Plaintiff,

v.

CHERRY HILL TOWNSHIP, CHERRY HILL
TOWNSHIP POLICE DEPARTMENT, SGT.
WEBER, SGT. HENDERSON, P/O TRIVERI, P/O
DELCAMPO, P/O SHIELDS, P/O CUMMINGS,
P/O OSTERMUELLER, P/O KELLY, P/O
CHARNEY, P/O BUEHLER, P/O COLL, P/O
KEMPF, P/O M. JOHNSON, P/O HOULIHAN,
DETECTIVE KAPPLER, DETECTIVE KELLY,
LT. SAPORITO, LT. KUSHINA, JOHN DOES (1-
10)(Fictitious Names) JOHN C. DOES (1-
10)(Fictitious Names) and JOHN D. DOES (1-
10)(Fictitious Names),

Defendants.

CIVIL ACTION

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT:

Your Petitioners, Cherry Hill Township, Cherry Hill Township Police Department,
Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard
Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler,

Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, defendants in the above-named action, respectfully request that this matter be transferred from the Superior Court of New Jersey, Camden County, to the United States District Court for the District of New Jersey, Camden Vicinage, and respectfully represents that:

1. This matter is a Civil Action filed and now pending in the Law Division of the Superior Court of New Jersey, Camden County, docketed at No. CAM-L-5887-09.

2. This action was instituted in the Superior Court of New Jersey, Camden County on or about November 23, 2009, at which time plaintiff filed a complaint in the office of the Clerk of the Superior Court of New Jersey.

3. Defendants, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, first received a copy of the Superior Court matter on or about December 7, 2009.

4. To date, no further proceedings have been filed in the Superior Court of New Jersey, Camden County, Law Division relating to this action. An Answer has not been filed on behalf of any defendants in the state court action.

5. The Complaint asserts causes of action against defendants, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee

Houlihan, David Kappler, Anthony Saporito, and William Kushina, for violation of constitutional rights pursuant to 42 U.S.C. §1983.

6. The complaint sets forth claims under the laws and statutes of the United States.
7. The present lawsuit is removable to this Court pursuant to 28 U.S.C. §1441(a), (b) and (c).
8. As of the filing of this removal application, no other parties have been served with plaintiff's Complaint.
9. The removing defendants submit that the matter pending in the Superior Court of New Jersey, Law Division, Camden County, may be removed pursuant to the aforementioned statute.
10. Copies of all process, pleadings and orders which have been received by the defendants are filed herewith and attached as Exhibit A.
11. This notice is timely, being filed within thirty days of petitioners' receipt of a copy of the Complaint setting forth the claims for relief upon which the action is based.

WHEREFORE, Petitioners, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, request that said action be removed from the said State Court into this Court for trial and determination.

WHITE AND WILLIAMS, LLP
Attorneys for Petitioners

By: s/David M. Ragonese

DATED: December 24, 2009

EXHIBIT A

RECEIVED
DEC 7 - 2009
LAW DEPARTMENT

Attorney(s) Anthony L. Marchetti, Jr., Esq.Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200Town, State, Zip Code Mount Laurel, NJ 08054Telephone Number (856) 824-1001Attorney(s) for Plaintiff Bobbie Lynn Pierce

**Superior Court of
New Jersey**

Camden

COUNTY

LAW

DIVISION

BOBBIE LYNN PIERCE, Individually and as Administratrixof ESTATE OF JOSEPH PIERCEPlaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIPPOLICE DEPARTMENT, et al.Defendant(s)Docket No: CAM-L-5887-09

**CIVIL ACTION
SUMMONS**

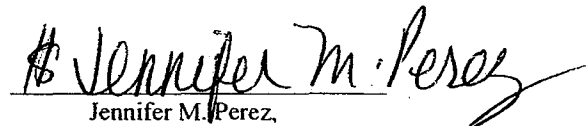
From The State of New Jersey To The Defendant(s) Named Above: CHERRY HILL TOWNSHIP

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: Cherry Hill Township820 Mercer StreetAddress of Defendant to Be Served: Cherry Hill, New Jersey 08003

**DIRECTORY OF SUPERIOR COURT DEPUTY CLERK'S OFFICES
COUNTY LAWYER REFERRAL AND LEGAL SERVICES OFFICES**

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., First Fl.
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444

LEGAL SERVICES

(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601

LAWYER REFERRAL

(201) 488-0044

LEGAL SERVICES

(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862

LEGAL SERVICES

(800) 496-4570

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08103

LAWYER REFERRAL

(856) 964-4520

LEGAL SERVICES

(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
9 N. Main Street
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-0313

LEGAL SERVICES

(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street
P.O. Box 10
Bridgeton, NJ 08302

LAWYER REFERRAL

(856) 692-6207

LEGAL SERVICES

(856) 451-0003

ESSEX COUNTY:

Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102

LAWYER REFERRAL

(973) 622-6204

LEGAL SERVICES

(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Fl., Court House
1 North Broad Street
Woodbury, NJ 08096

LAWYER REFERRAL

(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Dept.
Brennan Court House--1st Floor
583 Newark Ave.
Jersey City, NJ 07306

LAWYER REFERRAL

(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822

LAWYER REFERRAL

(908) 735-2611
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 S. Broad Street, P.O. Box 8068
Trenton, NJ 08650

LAWYER REFERRAL

(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court,
Middlesex Vicinage
2nd Floor - Tower
56 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08903-2633

LAWYER REFERRAL

(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL

(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington and Court Streets
P. O. Box 910
Morristown, NJ 07963-0910

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Toms River, NJ 08754-2191

LAWYER REFERRAL

(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07505

LAWYER REFERRAL

(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk of the Superior Court
Attn: Civil Case Management Office
92 Market Street
Salem, NJ 08079

LAWYER REFERRAL

(856) 678-8363
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division
P.O. Box 3000
40 North Bridge Street
Somerville, N.J. 08876

LAWYER REFERRAL

(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL


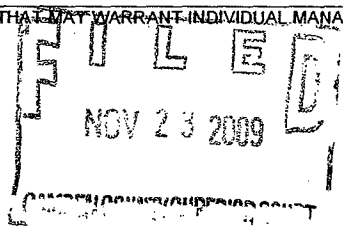

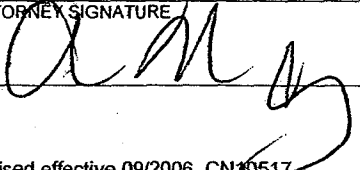
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Court House
413 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(908) 475-2010

 CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY
Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or if attorney's signature is not affixed.		PAYMENT TYPE: CK CG CA
		CHG/CK NO.
		AMOUNT:
		OVERPAYMENT:
		BATCH NUMBER:
ATTORNEY/PRO SE NAME	TELEPHONE NUMBER	COUNTY OF VENUE
Anthony L. Marchetti, Jr., Esq.	(856) 824-1001	CAMDEN
FIRM NAME (if applicable)		DOCKET NUMBER (When available)
CURETON CLARK, P.C.		2-5887-09
OFFICE ADDRESS		DOCUMENT TYPE
CURETON CLARK, P.C. 3000 Midlantic Drive, Suite 200, Mt. Laurel, NJ 08054		COMPLAINT AND JURY DEMAND
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME OF PARTY (e.g., John Doe, Plaintiff)	CAPTION	
Bobbie Lynn Pierce, Individually and as Administratrix of Est. of Joseph Pierce	Bobbie Lynn Pierce, Ind., and as Administratrix of the Est. of Joseph Pierce, Plaintiff v. Cherry Hill Township, Cherry Hill Township Police, et al.	
CASE TYPE NUMBER (See reverse side for listing)	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
005	IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING?	IF YES, LIST DOCKET NUMBERS	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)?	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.		
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION		
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP <input type="checkbox"/> EMPLOYER-EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES <input type="checkbox"/> YES <input type="checkbox"/> NO		
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION:		
		
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION:	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
IF YES, FOR WHAT LANGUAGE:		
ATTORNEY SIGNATURE		
		

SIDE 2

CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1***CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)**Track I — 150 days' discovery**

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)
- 999 OTHER (Briefly describe nature of action)

Track II — 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603 AUTO NEGLIGENCE – PERSONAL INJURY
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE – PROPERTY DAMAGE
- 699 TORT – OTHER

Track III — 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV — Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Mass Tort (Track IV)

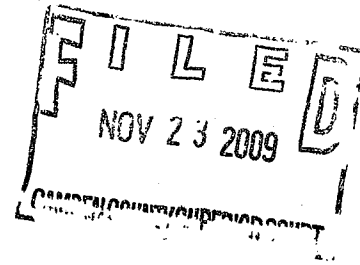
- | | |
|---|--------------------------------|
| 240 REDUX/PHEN-FEN (formerly "DIET DRUG") | 271 ACCUTANE |
| 241 TOBACCO | 272 BEXTRA/CELEBREX |
| 248 CIBA GEIGY | 274 RISPERDAL/SEROQUEL/ZYPREXA |
| 264 PPA | 601 ASBESTOS |
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 619 VIOXX |
| 268 MANUFACTURED GAS PLANT (MGP) | |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category:

☐ Verbal Threshold☐ Putative Class Action☐ Title 59

Anthony L. Marchetti, Jr., Esquire
Matthew C. Waldt, Esquire
CURETON CLARK, P.C.
3000 Midlantic Avenue, Suite 200
Mt. Laurel, New Jersey 08054
(856) 824-1001
Attorneys for Bobbie Lynn Pierce, Plaintiff



**BOBBIE LYNN PIERCE, Individually and
as Administratrix of the Estate of Joseph
Pierce**

Plaintiff,

v.

**CHERRY HILL TOWNSHIP, CHERRY
HILL TOWNSHIP POLICE
DEPARTMENT, SGT. WEBER,
SGT. HENDERSON, P/O TRIVERI,
P/O DELCAMPO, P/O SHIELDS,
P/O CUMMINGS, P/O OSTERMUELLER,
P/O KELLY, P/O CHARNEY,
P/O BUEHLER, P/O COLL, P/O KEMPF,
P/O M. JOHNSON, P/O HOULIHAN,
DETECTIVE KAPPLER, DETECTIVE
KELLY, LT. SAPORITO, LT. KUSHINA,
JOHN DOES (1-10) (Fictitious Names),
JOHN C. DOES (1-10) (Fictitious Names)
and JOHN D. DOES (1-10) (Fictitious
Names)**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAMDEN COUNTY**

CIVIL ACTION NO.:

L-5887-09

COMPLAINT AND JURY DEMAND

Plaintiff, Bobbie Lynn Pierce, individually and as personal representative for Joseph
Pierce, deceased (referred to in this Complaint as "Decedent"), by way of Complaint against the
Defendants, hereby states as follows:

INTRODUCTION

1. Plaintiff's Decedent is the personal representative and Administrator of the Estate of Joseph Pierce. Plaintiff brings this action on account of the refusal/failure to provide prompt, reasonable medical treatment to her husband, Joseph Pierce.

2. Plaintiff claims that the Public Defendants (described more fully below) acted in a reckless, deliberate and wanton manner under color of law to violate the rights of Plaintiff and her decedent, while he was held in custody by the Police Department of the Township of Cherry Hill. Specifically, Plaintiff claims that the Cherry Hill Police officers who arrested her husband, Joseph Pierce, on November 22, 2007 denied him prompt, reasonable and obviously needed medical attention, causing and/or contributing to his death, and that those actions, together with the failure to establish appropriate procedures and/or failure to train/supervise the officers involved, contributed to Mr. Pierce's death. Additional theories of liability are set forth below.

3. This action is brought pursuant to 42 U.S.C. §1983, the New Jersey Constitution, the New Jersey Wrongful Death Act, as well as common law claims for negligence as well as other theories as set forth more fully below.

4. The violations occurred in the County of Camden, State of New Jersey.

5. Currently on appeal is the January 23, 2009 order from the Superior Court of New Jersey, Camden County, denying Plaintiff's motion for leave to file a late tort claim notice against the Public Defendants.

BACKGROUND FACTS AND COMMON ALLEGATIONS

The Parties

6. Plaintiff, Bobbie Lynn Pierce (“Ms. Pierce” or “Plaintiff”), is an individual resident of the State of New Jersey, residing at 154 S. Fellowship Road, Maple Shade, New Jersey 08052.

7. Plaintiff brings this action individually, and as administrator of the Estate of Joseph Pierce, seeking damages and other relief as a result of the death of her husband, Joseph Pierce (“Decedent”), who died because the Cherry Hill police officers unreasonably delayed and/refused to provide him with prompt medical attention after they took him into police custody on November 22, 2007.

8. At the time of his death, Joseph Pierce was only forty three (43) years old.

9. Defendant, Cherry Hill Township (“Township”), is a municipal corporation or other public entity organized and existing under the laws of the State of New Jersey and with offices located in the County of Camden at 820 Mercer Street Cherry Hill, NJ 08003.

10. The Cherry Hill Township Police Department (“Cherry Hill Police” or “Department”) is a public entity, with its principal place of business located at 820 Mercer Street, Cherry Hill, NJ 08003.

11. Upon information and belief, Defendants, Sgt. Weber, Sgt. Henderson, P/O Triveri, P/O DelCampo, P/O Shields, P/O Cummings, P/O Ostermueller, P/O Kelly, P/O Charney, P/O Buehler, P/O Coll, P/O Kempf, P/O M. Johnson, P/O Houlihan, Detective Kappler, Detective Kelly, Lt. Saporito, and Lt. Kushina were, at all times relevant, police officers employed by the Cherry Hill Police Department (collectively referred to herein as “Officer Defendants”).

12. The Doe Defendants are the fictitious names of individuals, corporations or entities who are or may be liable to Plaintiff for the acts and omissions complained of, whose identities are not yet known.

13. Defendants, John A. Does (1-10) are fictitious names for one or more police officers or other individuals who deprived Joseph Pierce of prompt and necessary medical treatment and/or otherwise contributed to Plaintiff's loss and damages.

14. Defendants, John B. Does (1-10) are fictitious names for one or more public entities, officials or individuals, and/or its/their predecessors and/or successors and/or superiors who were responsible for the supervision and/or training of its/their officers, employees or agents, within the scope of employment, including but not limited to victim safety, emergency medical assistance policies, procedures and protocol at the time of the incident that is the subject of this Complaint and/or otherwise contributed to Plaintiff's loss and damages..

15. Defendants John C. Does (1-10) are fictitious names for one or more individuals, their employer, principals, and/or agents who were involved in or instigated the events of November 22, 2007 and negligently, recklessly or intentionally caused Decedent's injuries and death.

16. At all times relevant hereto, Defendants were acting in their own right and/or by and through their respective agents, servants, representatives and/or employees, who were acting within the scope and course of their agency (actual, apparent and/or implied), representation and/or employment. Some or all of the Defendants were or may have been agents, servants and/or employees of each other.

The November 22, 2007 attack and death of Joseph Pierce

17. On or about the early morning hours of November 22, 2007, forty-three year-old Joseph Pierce and his wife were attacked by a group of men in the parking lot of the Cherry Hill Diner.

18. When the Police Defendants arrived at the scene, Mr. Pierce was at the bottom of the pile of his attackers, was incoherent, unable to effectively communicate, sweating profusely, unable to stand on his own and bleeding from his nose and ears.

19. Mrs. Pierce notified the Police Defendants that her husband had been kicked and beaten in the head and requested that the Police Defendants provide Mr. Pierce with medical treatment. Instead, the Police Defendants restrained Mr. Pierce in the back of a police cruiser for nearly a half hour despite his obvious injuries and need for medical treatment and Plaintiff's requests. The Police Defendants did not summon medical personnel to the scene to attend to Mr. Pierce, nor did they immediately transport him to obtain care despite the fact that hospital facilities were a very short distance away.

20. Finally, the Police Defendants brought Mr. Pierce to Kennedy Hospital at or about 4:00 a.m. Mr. Pierce was pronounced dead at or about 4:45 a.m.

General Allegations

21. The actions of the Defendants contributed to or resulted in Mr. Pierce's death and reduced his opportunity for survival.

22. Additionally, Defendants' actions deprived plaintiff of the right to prompt effective medical care, constituted cruel and unusual punishment and otherwise violated the rights of Plaintiff and her Decedent under the federal and state Constitutions.

23. Defendants, upon information and belief, failed to appropriately train and supervise the Police Defendants to provide prompt medical treatment to those in their custody.

24. Defendants' actions prevented Plaintiff from being with her husband during his last minutes of life.

25. At all times relevant hereto the Police Defendants were acting within the general scope of their authority and in and about the business and purpose of the Defendant Township and/or Police Department and thus, the Defendant Township and/or the Department is vicariously liable for their conduct, including under principles of *Respondeat Superior*.

26. At all times, it was and is the duty of the Defendant Township and Police Department to engage competent, mindful officers to ensure those in their custody remain safe and receive medical attention necessary to their situations.

27. At all times, it was and is the duty of the Defendants Township and Police Department to create policies, practices, guidelines, protocols, procedures, regulations and/or customs, or to adopt existing policies, with regard to the proper response to an emergency situation by its agents, servants, employees, principals or vice-principals.

28. Defendants breached these duties and the clear rule of law under the 8th and 14th Amendments, the New Jersey State Constitution (including the state Bill of Rights and Article 1, paragraph 1), and other requirements in causing Plaintiff's injuries and death.

29. Mrs. Pierce lost the care, companionship, support and services of her husband, with whom she had been since she was a teenager. In addition, Mrs. Pierce was deprived of the ability to be with her husband during the last moments of his life. Joseph Pierce was the father of three (3) children at the time of his death.

30. As a result of the actions of the Defendants, Plaintiff has suffered lost support as a direct result of the loss of her husband and suffered emotional distress and other damages as a result of the incident and her loss.

31. As a result of Defendants' actions, Plaintiff and her family suffered, and continue to suffer, personal injuries, additional pain and suffering, economic and non-economic damages, loss of companionship, society and guidance, and other damages as a direct and proximate result of Defendants' actions. Plaintiff's decedent also suffered conscious pain and suffering, injury and died.

32. Plaintiff further suffered and continues to suffer, the loss, society and companionship and services of her husband, Joseph Pierce, as a result of Defendants' conduct.

33. Decedent died while in Police custody and Plaintiff has made substantial efforts to learn the actual circumstances surrounding her husband's death – with little success, as Defendants refused to provide information in a timely fashion regarding the incident and their investigation.

34. Defendants' actions were palpably unreasonable and contrary to well-established law.

35. Defendants, at all times relevant hereto, acted or were acting under color of state law.

COUNT I: VIOLATIONS OF 42 U.S.C. SECTION 1983

36. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

37. When Defendants denied Plaintiff's decedent prompt medical attention, they deprived him of his rights, including the right to prompt medical treatment, the right to be free from Cruel and unusual punishment, the right to life and liberty and other rights under the state and federal Constitutions.

38. Defendants' deliberate indifference to Plaintiff's Decedent's rights and well being are actionable pursuant to 42 U.S.C. §1983.

39. Defendants' actions and omissions in failing to provide immediate medical attention to Decedent were intentional and/or wrongful and/or reckless and/or negligent in the actions taken particularly as to the apparent injuries of Decedent, and as such, were deliberately indifferent to Plaintiff's decedent's constitutional rights.

40. Such indifference consists, inter alia, of the following:

- a. Failure to exercise due care under the circumstances;
- b. Failure to properly train officers, including training as to their duty to provide basic care for persons in their custody and/or the manner in which this duty is to be carried out;
- c. Failure to adequately supervise and discipline police personnel;
- d. Failure to take adequate precautions in the hiring, placement and retention of the officers, thus evidencing deliberate indifference to the rights of citizens, including Plaintiff's Decedent;
- e. Employing policies, customs or practices which deprive citizens (including Plaintiff's Decedent) of life, liberty and property without the procedural and substantive due process secured by the Fourth and

Fourteenth Amendments of the United States Constitution and the New Jersey State Constitution;

- f. Employing policies, customs or practices, as set out above, which violate the right to be free of unreasonable seizures, including unreasonable treatment during custody prior to arraignment, as guaranteed by the Fourth and Fourteenth Amendments;
- g. Employing policies, customs or practices of failing to take reasonable steps to train and instruct or of inadequately training its personnel as to the proper use of police power, investigation and emergency response with such failure to train amounting to a deliberate indifference to the constitutional rights of the Decedent;
- h. Failing to provide a custodial situation that is free from a state-created dangerous situation, but rather rendered Decedent more vulnerable to danger and/or harm and/or illness had he not been in the custody and control of the Defendants;
- i. The right of the Plaintiff not to be deprived of equal protection arising under the Fifth Amendment to the Constitution of the United States; and
- j. The right to prompt medical treatment, as guaranteed by the 8th Amendment's and state constitutional ban on cruel and unusual punishment, among other violations.

41. Defendants acted directly in creating the cited violations based on the execution of their own policies, practices, and customs.

42. Defendants violated the requirements set forth above and therefore deprived Plaintiff of all of the Federal and State Constitutional rights described throughout herein.

43. The acts, conduct and behavior of Defendants and each of them were performed knowingly, intentionally, and maliciously by reason of which Plaintiff is entitled to an award of punitive damages.

44. The actions of the Defendants were affirmatively undertaken under color of law and caused Plaintiff and her decedent to suffer a deprivation of rights, privileges and immunities secured by the Constitution and laws of the United States.

45. Defendants' actions violated the Constitution of the United States; in particular the Fourth, Fifth, Eighth, and Fourteenth Amendments, and are therefore actionable under §42 U.S.C. §1983.

46. As a direct and proximate result of Defendants' violations, Plaintiff's Decedent suffered physical and emotional injury, pain, loss chance of recovery or survival, and death.

47. As a direct and proximate result of Defendants' violations, Plaintiff herself directly suffered non-economic injuries and hedonic losses, including debilitating depression. In addition, Plaintiff and her family suffered the loss of care, companionship, services and support described above.

48. 42 U.S.C. § 1983 authorizes payment of attorneys fees and expenses to Plaintiff's counsel, and Plaintiffs seek that relief.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;
- c. For injunctive relief requiring Defendants to establish constitutional policies regarding custody and supervision of suspects in medical need; and
- d. For such other and further relief as the Court deems equitable and just.

COUNT II: VIOLATIONS OF NEW JERSEY CONSTITUTION

49. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

50. Defendants' actions also violate the rights set forth in Article 1, paragraph 1 and other provisions of the New Jersey Constitution and Bill of Rights.

51. Specifically, Defendants' actions violate Article 1, Paragraph 1, which provides that "All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness."

52. Plaintiff and her Decedent suffered damages, more fully described herein, as a result of Defendants' violations.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;

- c. For injunctive relief requiring Defendants to establish constitutional policies regarding custody and supervision of suspects in medical need; and
- d. For such other and further relief as the Court deems equitable and just.

COUNT III: NEGLIGENCE

53. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

54. Plaintiff's appeal on the denial of her motion to file a late tort claim notice is currently pending before the Superior Court of New Jersey, Appellate Division.

55. Defendants owed a duty of due care to Plaintiff and her decedent, including but not limited to:

- a. the duty of care to ascertain the condition of individuals taken into custody and to provide prompt medical treatment;
- b. The duty to properly train, select, educate, and otherwise control the behavior of the Defendant Officers so as to avoid harm to citizens such as Plaintiff and her Decedent;
- c. The duty to render and/or provide for prompt medical treatment and/or attention;
- d. Not to violate citizens rights as set forth above;
- e. Not to cause Plaintiff harm; and,
- f. The general duty to take reasonable actions under the particular circumstances.

56. Defendants breached their duty of care and were otherwise negligent.

57. Defendants' actions were palpably unreasonable and not subject to any immunity.

58. Defendants' actions were the direct, foreseeable and actual cause of Plaintiff's damages and her Decedent's injuries and lost opportunity to recover as described above.

59. Plaintiff and her Decedent suffered damages as a result of Defendants' actions.

WHEREFORE, Plaintiff, Ms. Pierce, demands judgment against the Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;
- c. For such other and further relief as the Court deems equitable and just.

COUNT IV: WRONGFUL DEATH

60. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

61. Decedent is survived by Plaintiff, his wife, and three children who are entitled to take Decedent's intestate personal property, and who have suffered pecuniary injury, including the loss of Decedent's financial support, emotional support and other economic loss, as a direct and proximate result of Plaintiff's Decedent's death.

62. The Decedent's survivors' losses include, but are not limited to, the loss of a reasonable expectancy of pecuniary advantage that would have resulted from the continuance of Mr. Pierce's life, the Decedent's hospital expenses, medical expenses, funeral expenses, loss of companionship, guidance, advice and counsel and other services now and into the future.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;
- c. For such other and further relief as the Court deems equitable and just.

COUNT V: SURVIVAL ACTION

63. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

64. As a direct and proximate result of the Defendants' negligence, carelessness and recklessness and the collision described above, Decedent experienced extreme pain and suffering. Specifically, upon information and belief, Decedent suffered conscious fear, shock, pain, suffering and trauma immediately prior to his death and injuries to his body parts and systems and loss of chance of recovery, each of which caused Decedent extreme physical and emotional pain and suffering.

65. As a direct and proximate result of the Defendants' negligence, carelessness and recklessness Plaintiff's Decedent sustained severe physical pain, mental anguish and emotional trauma, and has otherwise sustained economic and non-economic damages.

66. As a direct and proximate result of the Defendants' negligence, carelessness and recklessness and the collision described above, Decedent accrued substantial hospital, medical and funeral expenses as well as other damages.

67. As a direct and proximate result of the Defendants' negligence, carelessness and recklessness, funeral services were held in memory of Decedent and Decedent was buried. Substantial and reasonable expenses were incurred for Decedent's funeral and burial.

WHEREFORE, Plaintiff demands judgment against the Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;
- c. For such other and further relief as the Court deems equitable and just.

COUNT VI: LOSS OF CONSORTIUM

68. Plaintiff repeats each and every allegation of the preceding paragraphs of this Complaint, as if fully set forth at length herein.

69. As a direct and proximate result of the negligence, violations and fault of the Defendants as set forth at length above, Plaintiff and her family lost the care, services, and society of her husband due to his death. In addition, Plaintiff has otherwise suffered monetary, inconvenience and other losses as a result of the death of her husband.

70. Plaintiff's losses were proximately caused by the negligence and/or carelessness and/or fault of Defendants.

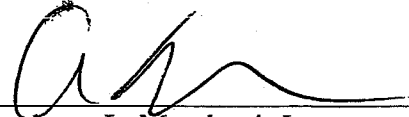
WHEREFORE, Plaintiff demands judgment against Defendants, jointly, severally or in the alternative:

- a. For compensatory damages, exemplary and punitive damages in an amount to be determined;
- b. For attorneys fees, costs of suit, interest and pre-judgment interest;

c. For such other and further relief as the Court deems equitable and just.

CURETON CLARK, P.C.
Attorneys for Plaintiff

BY:



Anthony L. Marchetti, Jr.
Matthew C. Waldt


JURY TRIAL DEMAND

Plaintiff demands a trial by jury as to all issues so triable.

CURETON CLARK, P.C.
Attorneys for Plaintiff

Dated: 11/23/09

BY:



Anthony L. Marchetti, Jr.
Matthew C. Waldt


DESIGNATION OF TRIAL COUNSEL

Anthony L. Marchetti, Jr. is hereby designated as trial counsel in the above captioned litigation on behalf of the Plaintiff.

CURETON CLARK, P.C.
Attorneys for Plaintiff

Dated: 11/23/09

BY:



Anthony L. Marchetti, Jr.
Matthew C. Waldt

RULE 4:5-1 CERTIFICATION

1. I hereby certify that to my knowledge the matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding, except the Appellate Division action currently pending at docket number A-003264-08T3. Otherwise, there is no other action or arbitration proceeding contemplated.

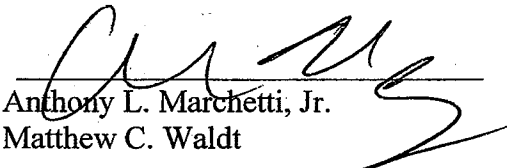
2. I have no knowledge at this time of the names of any other parties who should be joined in this action.

CURETON CLARK, P.C.
Attorneys for Plaintiff

Dated:

11/12/09

BY:


Anthony L. Marchetti, Jr.
Matthew C. Waldt

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Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix

of ESTATE OF JOSEPH PIERCE

Plaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP

POLICE DEPARTMENT, et al.

Defendant(s)

Superior Court of New Jersey

Camden

COUNTY

LAW

DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

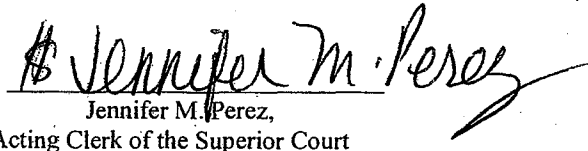
From The State of New Jersey To The Defendant(s) Named Above: CHERRY HILL TOWNSHIP POLICE DEPARTMENT

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: Cherry Hill Township Police Department
820 Mercer Street

Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

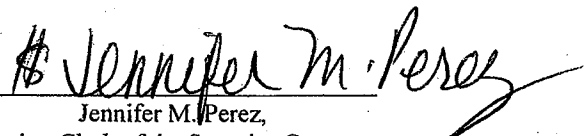
From The State of New Jersey To The Defendant(s) Named Above: **SGT. WEBER**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: Sgt. Weber
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

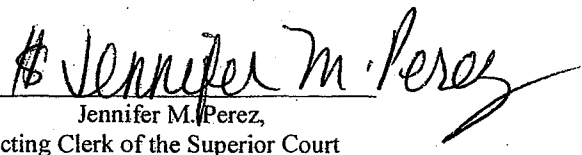
From The State of New Jersey To The Defendant(s) Named Above: SGT. HENDERSON

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: Sgt. Henderson
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above: P/O Triveri

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O Triveri
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

**Superior Court of
New Jersey**

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

**CIVIL ACTION
SUMMONS**

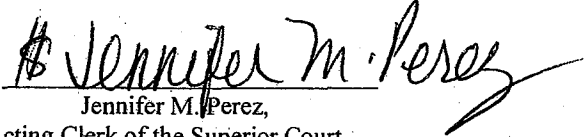
From The State of New Jersey To The Defendant(s) Named Above: P/O DelCampo

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O DelCampo
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

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Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

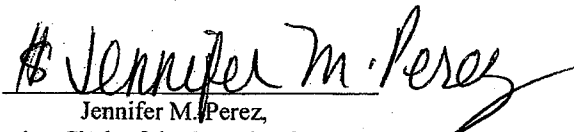
From The State of New Jersey To The Defendant(s) Named Above: P/O SHIELDS

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O SHIELDS
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

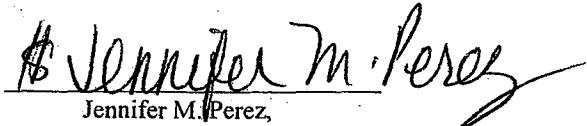
From The State of New Jersey To The Defendant(s) Named Above: P/O CUMMINGS

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O CUMMINGS
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

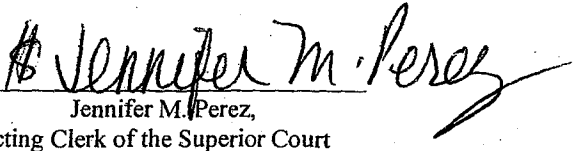
From The State of New Jersey To The Defendant(s) Named Above: P/O OSTERMUELLER

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O OSTERMUELLER
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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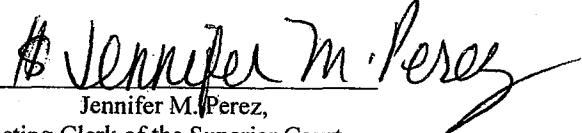
From The State of New Jersey To The Defendant(s) Named Above: P/O KELLY

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O Kelly
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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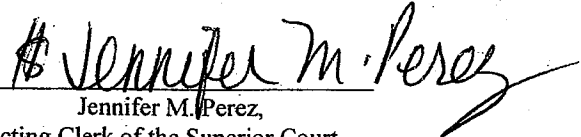
From The State of New Jersey To The Defendant(s) Named Above: P/O CHARNEY

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O Charney
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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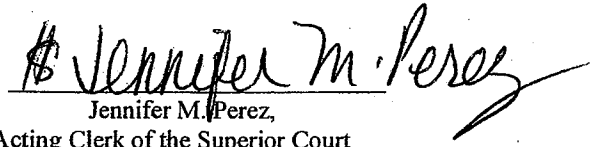
From The State of New Jersey To The Defendant(s) Named Above: P/O BUEHLER

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O BUEHLER
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
 Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
 Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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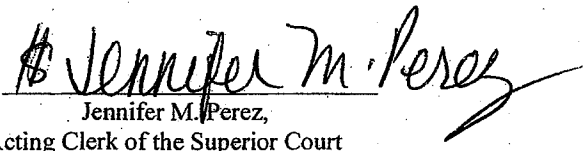
From The State of New Jersey To The Defendant(s) Named Above: P/O COLL

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

P/O COLL

Name of Defendant to Be Served: _____

Address of Defendant to Be Served: 820 Mercer Street
Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

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Docket No: CAM-L-5887-09

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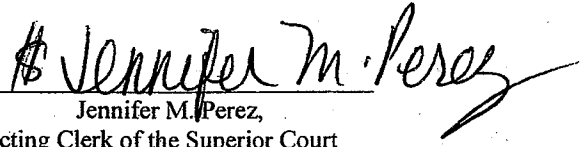
From The State of New Jersey To The Defendant(s) Named Above: P/O KEMPF

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

P/O KEMPF
Name of Defendant to Be Served: _____
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

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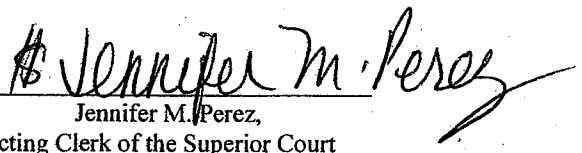
From The State of New Jersey To The Defendant(s) Named Above: P/O M. JOHNSON

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O M. JOHNSON
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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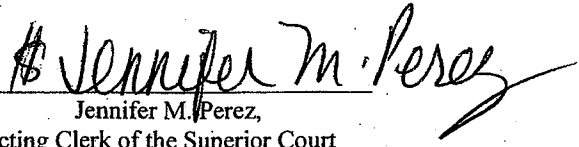
From The State of New Jersey To The Defendant(s) Named Above: P/O HOULIHAN

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: P/O HOULIHAN
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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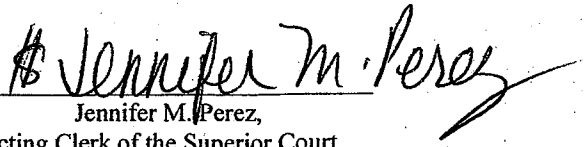
From The State of New Jersey To The Defendant(s) Named Above: DETECTIVE KAPPLER

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

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Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: DETECTIVE KAPPLER
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
 Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
 Town, State, Zip Code Mount Laurel, NJ 08054
 Telephone Number (856) 824-1001
 Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

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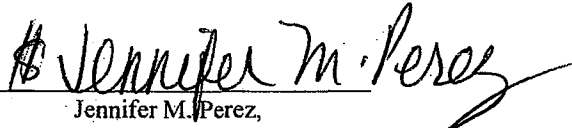
From The State of New Jersey To The Defendant(s) Named Above: DETECTIVE KELLY

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: DETECTIVE KELLY
820 Mercer Street
 Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.
CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

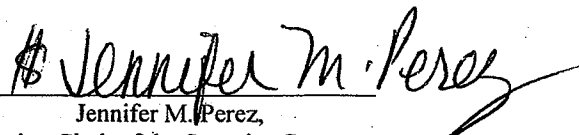
From The State of New Jersey To The Defendant(s) Named Above: LT. SAPORITO

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: LT. SAPORITO
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

Attorney(s) Anthony L. Marchetti, Jr., Esq.
Office Address CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Town, State, Zip Code Mount Laurel, NJ 08054
Telephone Number (856) 824-1001
Attorney(s) for Plaintiff Bobbie Lynn Pierce

BOBBIE LYNN PIERCE, Individually and as Administratrix
of ESTATE OF JOSEPH PIERCE
Plaintiff(s)

Vs.

CHERRY HILL TOWNSHIP, CHERRY HILL TOWNSHIP
POLICE DEPARTMENT, et al.
Defendant(s)

Superior Court of New Jersey

Camden COUNTY
LAW DIVISION

Docket No: CAM-L-5887-09

CIVIL ACTION SUMMONS

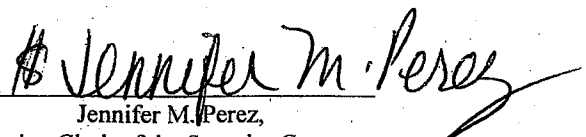
From The State of New Jersey To The Defendant(s) Named Above: LT. KUSHINA

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: Nov. 30, 2009


Jennifer M. Perez,
Acting Clerk of the Superior Court

Name of Defendant to Be Served: LT. KUSHINA
820 Mercer Street
Address of Defendant to Be Served: Cherry Hill, New Jersey 08003

CERTIFICATION

David M. Ragonese, being of full age, hereby certifies that he is an attorney representing defendants, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, and that the facts set forth in the foregoing Notice for Removal are true upon her knowledge, information and belief.

s/David M. Ragonese

Dated: December 24, 2009

WHITE AND WILLIAMS LLP

BY: Michael O. Kassak, Esquire
David M. Ragonese, Esquire

Liberty View

457 Haddonfield Road, Suite 400

Cherry Hill, NJ 08002

856-317-3600

ATTORNEY FOR Defendants, Cherry Hill Township, Cherry Hill Township Police
Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields,
Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark
Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler,
Anthony Saporito, and William Kushina

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW JERSEY

BOBBIE LYNN PIERCE, Individually and as
Administratrix of the Estate of Joseph Pierce,

Plaintiff,

v.

CHERRY HILL TOWNSHIP, CHERRY HILL
TOWNSHIP POLICE DEPARTMENT, SGT.
WEBER, SGT. HENDERSON, P/O TRIVERI, P/O
DELCAMPO, P/O SHIELDS, P/O CUMMINGS,
P/O OSTERMUELLER, P/O KELLY, P/O
CHARNEY, P/O BUEHLER, P/O COLL, P/O
KEMPF, P/O M. JOHNSON, P/O HOULIHAN,
DETECTIVE KAPPLER, DETECTIVE KELLY,
LT. SAPORITO, LT. KUSHINA, JOHN DOES (1-
10)(Fictitious Names) JOHN C. DOES (1-
10)(Fictitious Names) and JOHN D. DOES (1-
10)(Fictitious Names),

Defendants.

CIVIL ACTION

**NOTICE OF FILING OF NOTICE
OF REMOVAL**

To: Anthony L. Marchetti, Jr., Esq.
CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Mount Laurel, NJ 08054

Clerk, Superior Court of New Jersey
Camden County
Hall of Justice
101 S. 5th Street
Camden, NJ 08103

PLEASE TAKE NOTICE that defendants, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, through their attorneys, White and Williams, LLP filed a Petition in the United States District Court for the District of New Jersey for removal of an action now pending in the Superior Court of New Jersey, Camden County, entitled Bobbie Lynn Pierce, *et al.* v. Cherry Hill Township, *et al.* Law Division, Docket no: CAM-L-5887-09.

FURTHER TAKE NOTICE that defendants, Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, at the same time filed with the United States District Court for the District of New Jersey, a copy of the Complaint served upon it which was filed and entered in the Superior Court of New Jersey, Camden County.

A copy of the said Notice for Removal is attached to this Notice and is hereby served upon you.

WHITE AND WILLIAMS, LLP
Attorneys for Defendants

By: s/David M. Ragonese

Dated: December 24, 2009

WHITE AND WILLIAMS LLP

BY: Michael O. Kassak, Esquire
David M. Ragonese, Esquire

LibertyView

457 Haddonfield Road, Suite 400

Cherry Hill, NJ 08002

856-317-3600

ATTORNEY FOR Defendants, Cherry Hill Township, Cherry Hill Township Police
Department, Thomas Weber, Brittain Henderson, Evan Triveri, Ryan DelCampo, James Shields,
Richard Cummings, John Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark
Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler,
Anthony Saporito, and William Kushina

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BOBBIE LYNN PIERCE, Individually and as
Administratrix of the Estate of Joseph Pierce,

Plaintiff,

v.

CHERRY HILL TOWNSHIP, CHERRY HILL
TOWNSHIP POLICE DEPARTMENT, SGT.
WEBER, SGT. HENDERSON, P/O TRIVERI, P/O
DELCAMPO, P/O SHIELDS, P/O CUMMINGS,
P/O OSTERMUELLER, P/O KELLY, P/O
CHARNEY, P/O BUEHLER, P/O COLL, P/O
KEMPF, P/O M. JOHNSON, P/O HOULIHAN,
DETECTIVE KAPPLER, DETECTIVE KELLY,
LT. SAPORITO, LT. KUSHINA, JOHN DOES (1-
10)(Fictitious Names) JOHN C. DOES (1-
10)(Fictitious Names) and JOHN D. DOES (1-
10)(Fictitious Names),

Defendants.

CIVIL ACTION

CERTIFICATION OF COUNSEL

I, David M. Ragonese, declare as follows:

1. I practice with the law firm of White and Williams, LLP, attorneys for defendants,
Cherry Hill Township, Cherry Hill Township Police Department, Thomas Weber, Brittain
Henderson, Evan Triveri, Ryan DelCampo, James Shields, Richard Cummings, John

Ostermueller, Joseph Kelly, Andrea Kelly, Glenn Charney, Mark Buehler, Thomas Coll, Robert Kempf, Michael Johnson, Renee Houlihan, David Kappler, Anthony Saporito, and William Kushina, and submit this declaration on their behalf.

2. On December 24, 2009 I caused to be filed with the United States District Court for the District of New Jersey an original Notice for Removal.

3. On December 24, 2009, I caused to be filed via regular U.S. mail with the Clerk of the Superior Court, Camden County, a Notice of Filing of the Notice of Removal, with a copy of the Notice of Removal attached.

4. On December 24, 2009, I served by mailing, regular mail and facsimile, a copy of the Notice of Filing of Notice of Removal on the following:

Anthony L. Marchetti, Jr., Esq.
CURETON CLARK, P.C.
3000 Midlantic Drive, Suite 200
Mount Laurel, NJ 08054

I declare, under penalty of perjury, that the foregoing statement is true and correct.

Executed this 24th day of December, 2009.

s/David M. Ragonese